

At the Surrogate's Court held in and for the County  
of New York, at the Courthouse, 31 Chambers  
Street, New York, New York on the 1 day of  
~~June~~ July 2009

New York County Surrogate's Court

: DATA ENTRY DEPT.

Date: July 1, 2009

PRESENT: HON. Troy K. Webber  
Surrogate

In the Matter of the Application of

ORLY GENDER, as a person interested,  
for the removal of DALIA GENDER  
as Trustee of the Orly Genger 1993 Trust  
pursuant to SCPA §711 (11)

File No.: 0017/2008

**ORDER TO SHOW CAUSE  
WITH TEMPORARY  
RESTRAINTS**

On reading and filing the annexed Verified Petition of Petitioner, ORLY GENDER, and  
the exhibits, verified on the 22nd day of June, 2009, and the memorandum of law in support of  
Petitioner's Verified Petition dated June 22, 2009,

LET the Respondent, DALIA GENDER, the sole fiduciary of the Orly Genger 1993  
Trust, show cause before Surrogate Troy K. Webber at the Surrogate's Court, 31 Chambers  
Street, Room 300, New York, New York, on the 5 day of August 2009 at 10:00 o'clock in the forenoon of that  
day or as soon thereafter as counsel may be heard why an order should not be entered:

(a) Enjoining and restraining Respondent, her agents and all other persons  
acting on her behalf from withdrawing, selling disposing, transferring, assigning, removing,  
pledging, redeeming, mortgaging, encumbering, lienning, hypothecating or secreting the Orly  
Trust's 19.43% interest in Trans-Resources, Inc., ("TRP"), a closely held corporation, founded by  
Arie Genger, Petitioner's father and Respondent's former husband of Respondent and any other  
assets which may be remaining in the Orly Trust;

(b) Removing Respondent as Trustee of the Orly Trust for breaching her fiduciary duties, wasting and dissipating the assets of the Orly Trust and imprudently managing and injuring the property committed to her charge;

(c) Surcharging Respondent in the amount of the loss of the value of Orly's interest in TPR as determined by the Court and awarding Petitioner costs and attorneys' fees;

(d) Appointing Michael D. Grohman, Esq. as successor trustee;

(e) Waiving any requirement that Petitioner post an undertaking; and

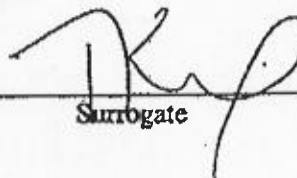
(f) Granting Petitioner such further relief deemed necessary or proper.

ORDERED that, during the pendency of this proceeding, Respondent, <sup>and/or her counsel</sup> ~~her agents and all~~ <sup>are required to give notice by overnight mail to petitioner's counsel of any 1) offer</sup> ~~other persons acting on her behalf are temporarily restrained from withdrawing, selling,~~ <sup>to purchase the Orly Trust's 19.3% interest in TRI within 10 days of receiving</sup> ~~disposing, transferring, assigning, removing, pledging, redeeming, mortgaging, encumbering,~~ <sup>such offer and 2) act by Respondent, her agents and all other persons</sup> ~~licensing, hypothecating or secreting the Orly Trust's 19.43% interest in TRI and other assets~~ <sup>acting on her behalf to assign, mortgage, pledge, redeem, encumber, sell or</sup> ~~remaining in the Orly Trust; and it is further~~ <sup>otherwise after the Orly Trust's interest in TRI at least 10 days prior to such act</sup> ~~and it is further~~ <sup>ORDERED that service of a copy of this Order and the papers upon which it is based</sup>

shall be served on Respondent by personal service at either her residence, located at 200 East 65<sup>th</sup> Street, Apt. 32W, New York, New York 10021, or any other address at which she can be located, on or before ~~June 7~~ <sup>July 7</sup>, 2009; and it is further

ORDERED, that any responsive papers shall be filed by ~~July 29~~ <sup>July 29</sup>, 2009.

~~ENTER:~~

  
Surrogate